

AMENDED IN SENATE JUNE 14, 2006

AMENDED IN ASSEMBLY MAY 1, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1862

Introduced by Assembly Member Vargas

January 17, 2006

An act relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1862, as amended, Vargas. Workers' Compensation: first aid: report.

Existing law establishes a workers' compensation system to compensate an employee for injuries sustained in the course of his or her employment.

Existing law requires an employer to provide a claim form and a notice of potential eligibility for workers' compensation benefits within one working day of receiving notice or knowledge of an employee's injury that results in lost time beyond the employee's work shift at the time of injury or that results in medical treatment beyond first aid. First aid is defined to mean any one time treatment, and any followup visit, for the purpose of observation of minor industrial injuries that do not ordinarily require medical care.

This bill would require the Administrative Director of the Division of Workers' Compensation, on or before July 1, 2008, to conduct a study and prepare and submit to the Governor and the Legislature, a report on first aid treatment provided to workers who have sustained minor industrial injuries and illnesses, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. On or before July 1, 2008, the Administrative
2 Director of the Division of Workers' Compensation shall conduct
3 a study and prepare and submit to the Governor and the
4 Legislature a report on first aid treatment provided to workers
5 who have sustained minor industrial injuries and illnesses, as
6 described in subdivision (a) of Section 5401 of the Labor Code.
7 The study and report shall include, but not be limited to,
8 information on all of the following:
9 (a) Whether additional followup visits should be allowed
10 consistent with the concept of first aid.
11 (b) Whether the current definition of first aid creates
12 unreasonable pressures on injured workers and medical providers
13 not to report workplace injuries and illnesses. The report shall
14 also consider whether any recommended changes to the
15 definition of first aid in subdivision (a) of Section ~~5402~~ 5401 of
16 the Labor Code should be made that would promote both
17 workplace safety and timely reporting of injuries arising out of,
18 and in the course of, employment.
19 (c) Whether there has been a higher incidence of first aid
20 claims since the enactment of Section ~~5402~~ 5401 of the Labor
21 Code.

O